MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) : Her father or husband.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I do not know whether he will be the aggrieved party when the woman voluntarily goes to work in a mine. The object of the present provision is to see that unnecessary prosecution are not launched against owners, agents and other people, because we are enacting a special measure binding on these people.

MR. G. RAMAN MENON (*Mavelikara* cum *Kartikapalli*) : What about clause 37 (1) ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : It reads as follows :—

> Notwithstanding anything hereinbefore contained, whoever contravenes any provision of this Regulation or of any rule or bye-law or of any order made thereunder, shall be punishable, if such contravention results in loss of life, with imprisonment which may extend to one year, or with fine which may extend to two thousand rupees, or with both ; or, if such contravention results in serious bodily injury, with imprisonment which may extend to six months, or with fine which may extend to one thousand rupees or with both; or, if such contravention otherwise causes injury or dangetor workers or other persons in or about a mine, with imprisonment which may extend to one month, or with fine which may extend to five hundred rupees or with both.

I may point out that prosecutions can be started under other penal laws by anybody. If anybody thinks that a life has been lost because of a negligent act, action may be taken under the ordinary law in the court.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*) : Will the Law Member explain why the discretion of the District Magistrate should be interposed ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : No person should be unnecessarily harassed by a prosecution.

MR. G. RAMAN MENON (*Mavelikara* cum *Kartikapalli*) : Suppose an accident results in loss of life, will it not be an offence ? The aggrieved party has the right to go before a court of law as Mr. Paramesvaran Pillai pointed out if it is an offence under other laws. Very often, deaths by accident are likely to happen in mines as a result of acts or omissions which are offences under the Regulation only. So I press the amendment.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I have nothing to add.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*) : May I bring to the notice of the Chair one aspect of the matter. Since the time is past 5 some members are absent. They left the hall probably under the impression that no business would be transacted after 5 o'clock.

DEPUTY PRESIDENT : I do not think there is anything in the rules to say that nothing will be done after 5 o'clock.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*) : I am only bringing to the notice of the Chair the prejudice that would be caused to the non-official side.

LIBRARY ARCHIVES Kerala Legislative Assembly